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MD-4  
PATENT  
ATTORNEY DOCKET NO.: 82001-0148

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
David WEBER et al. )  
Application No.: 09/903,855 ) Art Unit No. 2161  
Filing Date: July 13, 2001 ) Examiner: Not Yet Assigned  
For: SHIPPING AND TRANSPORTATION )  
OPTIMIZATION SYSTEM AND METHOD )

Commissioner for Patents  
BOX: Missing Parts  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

This is in response to the Notice to Filing Missing Parts, dated August 27, 2001, in the above-identified application, copy attached herewith. Also enclosed with this Response is a Petition for a Five-Month Extension of Time for the prescribed petition fee of \$1,960.00 as designated under 37 CFR §1.17(a)(2).

1. Combined Declaration and Power of Attorney

- ☒ Enclosed.  
This application was filed without an executed Declaration and Power of Attorney.

2. Assignment

- ☒ An assignment of the invention to Manugistics, Inc. from David Weber, and an employment contract assigning inventions for Peter B. Suskind, with PTO Form-1595, Recordation Form Cover Sheets, are enclosed.
- ☐ An assignment will be filed at a later date.

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3. Fee Calculation (37 C.F.R. § 1.16)

<b>CLAIMS FOR FEE CALCULATION</b>				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$740.00
Total Claims (37 C.F.R. §1.16(c))	54 - 20 =	34	\$ 18.00 each=	+\$ 612.00
Independent Claims (37 C.F.R. §1.16(b))	3 - 3 =	0	\$ 84.00 each=	+\$ 0.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			\$ 260.00	+
<b>SUB-TOTAL =</b>				<b>\$ 1,352.00</b>
Surcharge under 37 C.F.R. § 1.16(e)			\$ 130.00	\$ 130.00
<b>Reduction by 1/2 for filing by a small entity</b>				<b>-\$</b>
<b>TOTAL FILING FEE =</b>				<b>\$ 1,482.00</b>

4. Fee Payment

- ☒ Enclosed.  
A enclosed check in the amount of **\$3,442.00** includes the \$740.00 basic filing fee, \$612.00 additional claims, the \$130.00 surcharge as set forth in 37 CFR 1.16(e), and a fee of \$1,960.00 for the petition for five-month extension of time as set forth under the provisions of 37 CFR 1.136(a). These fees reflect the new fee schedule of October 1, 2001.
- ☒ If an Assignment and an Employment Agreement are being filed as noted in paragraph 2 above, two separate checks in the amount of \$40.00 each are enclosed.
- ☐ Authorization is given to charge \$ \_\_\_\_\_ to Deposit Account 50-1349 for the fees due as specified above.

5. ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any

overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

6. Other

- ☐ Information Disclosure Statement
- ☐ PTO-1449, \_\_ documents as listed
- ☐ Preliminary Amendment
- ☐ Claim for Priority
- ☐ Certified copy of Priority Document
- ☐ Sequence Listing

If there are any questions regarding the above-captioned patent application, please contact applicant's representative at the number given below.

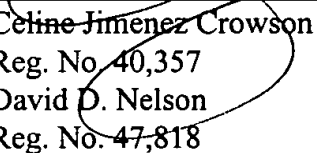
Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: March 22, 2002

**HOGAN & HARTSON LLP**  
555 13<sup>th</sup> Street, N.W.  
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(202) 637-5497  
Customer No. 24633

By: \_\_\_\_\_

  
Celine Jimenez Crowson  
Reg. No. 40,357  
David D. Nelson  
Reg. No. 47,818

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WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/903,855	07/13/2001	David Weber	82001-0148

24633  
HOGAN & HARTSON LLP  
IP GROUP, COLUMBIA SQUARE  
555 THIRTEENTH STREET, N.W.  
WASHINGTON, DC 20004CONFIRMATION NO. 9631  
FORMALITIES LETTER  
\*OC000000006478431\*  
\*OC000000006478431\*

Date Mailed: 08/27/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$612.
  - \$612 for 34 total claims over 20.
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1452.

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/25/2002 NROCHA1 00000068 09903855

01 FC:101	740.00 OP
02 FC:103	612.00 OP
03 FC:105	130.00 OP